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U.S. DISTRICT COURT E.D.N.Y.
★ MAY 18 2005 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

INTERSCOPE RECORDS, a California general	:	X	
partnership; SONY BMG MUSIC	:		
ENTERTAINMENT, a Delaware general	:		
partnership; ARISTA RECORDS LLC, a	:		
Delaware limited liability company; FONOVisA,	:		Civil Action No.: 05CV1101 (DGT)
INC., a California corporation; UMG	:		
RECORDINGS, INC., a Delaware corporation;	:		
and BMG MUSIC, a New York general	:		Filed Electronically
partnership,	:		
	:		
Plaintiffs,	:		
	:		
-against-	:		
	:		
RAFAEL HERNANDEZ,	:		
	:		
Defendant.	:		
	:	X	

PROPOSED DEFAULT JUDGMENT AND PERMANENT INJUNCTION

Based upon Plaintiffs' Application For Default Judgment By The Court, and good cause appearing therefor, it is hereby Ordered and Adjudged that:

1. Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Seven Thousand and Five Hundred Dollars (\$7,500.00).

2. Defendant shall pay Plaintiffs' costs of suit herein in the amount of Three Hundred and Ninety Five Dollars (\$395.00).

3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "Ruff Ryders' Anthem," on album "It's Dark And Hell Is Hot," by artist "DMX" (SR# 252-613);
- "Mi Vida Sin Tu Amor," on album "Mi Vida Sin Tu Amor," by artist "Cristian" (SR# 291-400);
- "Still D.R.E.," on album "2001," by artist "Dr. Dre" (SR# 277-983);
- "Gone Till November," on album "Wyclef Jean Presents The Carnival Featuring Refugee Allstars," by artist "Wyclef Jean" (SR# 251-493);
- "You Sang To Me," on album "Marc Anthony," by artist "Marc Anthony" (SR# 284-194);
- "You Make Me Wanna," on album "My Way," by artist "Usher" (SR# 257-730);
- "Amor En Silencio," on album "Trazos De Mi Alma," by artist "Marco Antonio Solis" (SR# 264-718);
- "Azul," on album "Azul," by artist "Cristian" (SR# 215-047);
- "Te Quiero," on album "Te Quiero," by artist "Los Temerarios" (SR# 233-242);
- "U Remind Me," on album "8701," by artist "Usher" (SR# 307-207);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall

destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATED: May 9, 2005

By: s/David G. Trager
Hon. David G. Trager
United States District Judge